

REMARKS

Claims 1-3, 5-22, 48, and 50-60 are pending. Claims 1, 50, and 58 are amended and claim 19 is canceled. Applicants disagree with all rejections and makes these claim changes only to expedite prosecution and move to allowance as soon as possible. Applicants submit that the amendments introduce no new matter, support therefor being found in the original application and claims as filed (e.g. see the subject U.S. Patent Publication 2004/0242714 at [0017], [0019], [0047]-[0048], [0067]). Favorable reconsideration in light of the remarks which follow is respectfully requested.

1. Claim Objections

Claims 1-3, 5-22, 48, and 50-60 are objected to. Applicants have amended the objected to claim wording herein, as requested.

2. 35 U.S.C. §112 Rejections

Claims 1-3, 5-22, 48, and 50-60 are rejected under 35 U.S.C. §112, first paragraph. Without agreeing with or acquiescing to the rejection, Applicants have amended claim 1 to delete the language referring to the molecular weight of the difunctional acrylate molecules.

Applicants, however, have maintained the molecular weight in claims 50 and 58, with some amendment, for further clarification. It is respectfully submitted that the molecular weight cutoff of the difunctional acrylate molecules and reagent solution is found in the application as follows: as set out in [0017] and [0063], the membranes of the invention can have, in some embodiments, a molecular weight cutoff value of 10 kDa or less. As further set out, the membranes can be coated by a flow-through method wherein the reagent solution is flowed through the membrane to coat the membrane with the solution (see, e.g. [0019], [0048]). Clearly, in order for the reagent solution to coat the membrane using a flow-through method, the reagent solution must be capable of flowing through the membrane (i.e. it must meet the specified molecular weight cutoff of the membrane). Likewise, in order for the reagent solution to be capable of flowing through the membrane, the components of the reagent solution (e.g. difunctional acrylate molecules) must be capable of flowing through the membrane. As such, it

is disclosed in some embodiments that the reagent solution and its components must have a molecular weight of 10 kDa or less – if they do not, the reagent solution will not be capable of flowing through the membrane.

In view thereof, it is respectfully submitted that support for the claim language is found in the application, as filed. Reconsideration and withdrawal of the rejection is respectfully requested.

3. 35 U.S.C. §102/103 Rejections

Claims 1-3, 5-9, 12-17, 19, 21, 22, 48, and 58-60 are rejected under 35 U.S.C. §102(b), or alternatively §103(a) over Witham (U.S. Patent No. 6,193,077). Applicants respectfully traverse.

Applicants have amended claim 1 as proposed by the Office. It is respectfully submitted that Witham at least does not teach or suggest Applicants' claimed membranes coated by a reagent solution consisting of difunctional surface-modifying molecules, a solvent, and a photoinitiator. As such, claim 1 and all claims dependent therefrom are patentable over Witham. Reconsideration and withdrawal of the rejection is respectfully requested.

With respect to independent claims 50 and 58, support for Applicants' claimed molecular weight for the reagent solution and the difunctional surface-modifying molecule is found in the Application as filed as set out above. As noted by the Examiner on page 7 of the June 2, 2009 Office action, "Witham requires a PEO with a molecular weight ranging from 20,000 to 1,000,000 daltons". As such, Witham does not teach or suggest Applicants' membranes as recited in amended independent claims 50 and 58. In view thereof, it is respectfully submitted that claims 50 and 58, and all claims dependent therefrom, are patentable over Witham. Reconsideration and withdrawal of the rejection is respectfully requested.

It is further submitted that no combination of Witham, Rosenberry (U.S. Patent No. 5,719,227), Soane (U.S. Publication No. 2004/0197562), Steuck (U.S. Patent No. 4,618,533),

Hu (U.S. Patent No. 5,209,849), Wu (WO 00/50161), or Hou . (WO 00/50160, corresponding to U.S. Patent No. 6,783,937) remedy the above noted deficiencies of Witham with respect to independent claims 1, 50, and 58. As such, it is respectfully submitted that claims 1, 50, 58, and all claims dependent therefrom, are patentable over Witham in view of Rosenberg, Soane, Steuck, Hu, Wu, and/or Hou

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

It is believed that no fees are required for consideration of this response. However, if for any reason the fee paid is inadequate or credit is owed for any excess fee paid, the Office is hereby authorized and requested to charge Deposit Account No. **04-1105**.

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Respectfully submitted,

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